

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANDRE L. WOODS,

Plaintiff,

v.

KARA LEGRAND, et al.,

Defendants.

Case No. 3:24-cv-00056-MMD-CSD

ORDER

This action began with a pro se civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state prisoner. Plaintiff has submitted an application to proceed *in forma pauperis*. (ECF No. 1). Based on the financial information provided, the Court finds that Plaintiff is unable to prepay the full filing fee in this matter.

The Court entered a screening order on September 30, 2024. (ECF No. 19). The screening order imposed a stay, and the Court entered a subsequent order in which the parties were assigned to mediation by a court-appointed mediator. (ECF Nos. 19, 22). The Office of the Attorney General has filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 26).

On October 13, 2021, this Court entered General Order No. 2021-05 ("GO 2021-05"), setting forth certain requirements and limitations for filings in Pro Se Inmate Non-Habeas Civil Rights cases. During the stay in this case, non-party Brandon Green filed a notice of related cases. (ECF No. 24). This filing violates GO 2021-05, as the document is an improper notice filed with the Court. See GO 2021-05, § 3(d). Additionally, this document was improperly filed as Green is not a party to this action and he may not file documents in cases he is not a party to.

Furthermore, in his notice, Green states that he filed a complaint alleging that he

1 was denied the right to properly practice his religious beliefs as a member of the "Way"
2 congregation. (ECF No. 24 at 2). But Plaintiff's claims in this case involve his
3 membership in the "Moorish Science Temple of America." (ECF No. 20 at 2). Thus, while
4 both cases involve freedom of religion claims, each plaintiff is a member of a different
5 religion and the factual allegations about the treatment of each religion and the burden
6 placed upon each plaintiff will be different.

7 For the foregoing reasons, **IT IS ORDERED** that:

8 1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is
9 **GRANTED**. Plaintiff shall not be required to pay an initial installment of the filing fee. In
10 the event that this action is dismissed, the full filing fee must still be paid pursuant to 28
11 U.S.C. § 1915(b)(2).

12 2. The movant herein is permitted to maintain this action to conclusion without
13 the necessity of prepayment of any additional fees or costs or the giving of security
14 therefor.

15 3. Pursuant to 28 U.S.C. § 1915, the Nevada Department of Corrections will
16 forward payments from the account of **Andre L. Woods, #0045030** to the Clerk of the
17 United States District Court, District of Nevada, 20% of the preceding month's deposits
18 (in months that the account exceeds \$10.00) until the full \$350 filing fee has been paid
19 for this action. The Clerk of the Court will send a copy of this order to the Finance Division
20 of the Clerk's Office. The Clerk will send a copy of this order to the attention of **Chief of**
21 **Inmate Services for the Nevada Department of Corrections** at
22 **formapauperis@doc.nv.gov**.

23 4. The Clerk of the Court shall electronically **SERVE** a copy of this order and
24 a copy of Plaintiff's complaint (ECF No. 20) on the Office of the Attorney General of the
25 State of Nevada by adding the Attorney General of the State of Nevada to the docket
26 sheet. This does not indicate acceptance of service.

27 5. Service must be perfected within ninety (90) days from the date of this order
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1 pursuant to Fed. R. Civ. P. 4(m).

2 6. Subject to the findings of the screening order (ECF No. 19), within twenty-
3 one (21) days of the date of entry of this order, the Attorney General's Office shall file a
4 notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it
5 accepts service; (b) the names of the defendants for whom it does not accept service,
6 and (c) the names of the defendants for whom it is filing the last-known-address
7 information under seal. As to any of the named defendants for whom the Attorney
8 General's Office cannot accept service, the Office shall file, under seal, but shall not serve
9 the inmate Plaintiff the last known address(es) of those defendant(s) for whom it has such
10 information. If the last known address of the defendant(s) is a post office box, the Attorney
11 General's Office shall attempt to obtain and provide the last known physical address(es).

12 7. If service cannot be accepted for any of the named defendant(s), Plaintiff
13 shall file a motion identifying the unserved defendant(s), requesting issuance of a
14 summons, and specifying a full name and address for the defendant(s). For the
15 defendant(s) as to which the Attorney General has not provided last-known-address
16 information, Plaintiff shall provide the full name and address for the defendant(s).

17 8. If the Attorney General accepts service of process for any named
18 defendant(s), such defendant(s) shall file and serve an answer or other response to the
19 complaint (ECF No. 20) within sixty (60) days from the date of this order.

20 9. Plaintiff shall serve upon defendant(s) or, if an appearance has been
21 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
22 document submitted for consideration by the Court. If Plaintiff electronically files a
23 document with the Court's electronic-filing system, no certificate of service is required.
24 Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-1(b); Nev. Loc. R. 5-1. However, if Plaintiff
25 mails the document to the Court, Plaintiff shall include with the original document
26 submitted for filing a certificate stating the date that a true and correct copy of the
27 document was mailed to the defendants or counsel for the defendants. If counsel has
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1 entered a notice of appearance, Plaintiff shall direct service to the individual attorney
2 named in the notice of appearance, at the physical or electronic address stated therein.
3 The Court may disregard any document received by a district judge or magistrate judge
4 which has not been filed with the Clerk, and any document received by a district judge,
5 magistrate judge, or the Clerk which fails to include a certificate showing proper service
6 when required.

7 10. The notice of related cases (ECF No. 24) is hereby **STRICKEN**.

8 11. The Clerk shall return as unfiled any further documents filed by non-party
9 Green received in this case.

10 12. This case is no longer stayed.

11 DATED: February 3, 2025

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14 UNITED STATES MAGISTRATE JUDGE
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